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UNCLAS SECTION 01 OF 03 DJIBOUTI 000072

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E.O. 12958: N/A

TAGS: ELAB EIND ETRD KTIP PHUM SOCI DJ
SUBJECT: DJIBOUTI: CHILD LABOR AND FORCED LABOR INFORMATION

REF: 10 STATE 12958; 08 DJIBOUTI 470

11. (U) This message contains Post's responses to Ref A taskers one and two.

TASK ONE: FORCED OR EXPLOITATIVE CHILD
LABOR IN THE PRODUCTION OF GOODS

12. (U) Post has no/no evidence that goods originating in Djibouti are produced using exploitative child labor or forced labor (Ref B). Djibouti's economy very largely depends on its port and spin-off service industries. With the exception of traditional nomadic pastoralism, agricultural activities are confined largely to small-scale market gardening, and the manufacturing sector is extremely limited.

TASK TWO: WORST FORMS OF CHILD LABOR

13. (U) PREVALENCE AND SECTORAL DISTRIBUTION OF EXPLOITATIVE CHILD
LABOR (2A):

--OVERVIEW: Child labor in Djibouti is largely limited to informal sector activities, including street vending, work in family-owned businesses, and begging. An unknown number of minors are employed in homes as domestic servants. A small number of children, especially street children, are involved in child prostitution, sometimes but not always with the involvement of a third party. In the rural areas of Djibouti, child labor is largely confined to children caring for their families' animals. With important exceptions for child prostitution and a few other sectors, the majority of cases of child labor practiced in Djibouti do not/not meet the definition of worst forms of child labor or exploitative child labor.

--RURAL AREAS: Outside of Djibouti City, children often herd and care for family livestock. Agriculture in Djibouti is largely limited to nomadic pastoralism, and there is no significant manufacturing sector.

--URBAN AREAS: In urban areas of Djibouti, children work in a variety of informal sector activities such as shining shoes, guarding and washing cars, cleaning storefronts, sorting merchandise, selling various items, and changing money. Children work day and night in family-owned businesses such as restaurants and small shops. Some children work as domestic servants in homes, and others are involved in begging. Many working children are displaced from neighboring countries such as Ethiopia and Somalia, and some live on the streets. While no good data exists, anecdotal evidence suggests that children of migrants or refugees are much more likely than children of

Djiboutian nationality to become involved in domestic service, begging, and/or child prostitution. Children are also involved in the sale of the legal narcotic khat, usually as part of a family distribution business.

--WORST FORMS OF CHILD LABOR/EXPLOITATIVE CHILD LABOR: Large numbers of voluntary economic migrants from Ethiopia and Somalia pass illegally through Djibouti en route to the Middle East; among this group, a small number of women and girls fall victim to domestic servitude or commercial sexual exploitation after reaching Djibouti City or the Ethiopia-Djibouti trucking corridor. A small number of girls from impoverished Djiboutian families may also be exploited in prostitution as a means of income. There were credible reports of child prostitution on the streets and in brothels despite ongoing GODJ efforts to stop it, including keeping children at risk off the streets and warning businesses against permitting children to enter bars and clubs. Children are also involved in begging on the streets, and in the sale of the legal narcotic khat. Child begging occurs both among unaccompanied street children (sometimes working in groups), and among family groups with accompanying children.

4. (U) LAWS AND REGULATIONS (2B):

--ADEQUACY OF FRAMEWORK AND RECENT CHANGES: Djibouti's legal framework is generally adequate in outlawing child labor (including exploitative child labor), and in punishing violations of child labor laws. Full enforcement of existing legislation remains the major

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challenge. There were no significant changes to the child labor laws in Djibouti during 2009.

--CHILD LABOR PROVISIONS: The minimum age for employment and apprenticeships in Djibouti is 16 years. Young persons 16 to 18 years may not be employed as domestic servants or in hotels and bars. Young persons must receive the same payment as adults for similar work. The Labor Inspectorate can require a medical exam to verify if the work is beyond the capabilities of the young person. Penalties for non-compliance with the provisions regarding equal pay and medical exams are punishable by fines. Night work is explicitly forbidden for individuals younger than 18 years, with penalties for non-compliance that include fines and, on the second infraction, 15 days of imprisonment.

--FORCED LABOR AND TRAFFICKING IN PERSONS PROVISIONS: The law prohibits forced and bonded labor. The law also prohibits the procurement of prostitution, with punishments including a fine and up to 10 years of imprisonment when a minor is involved. Increased penalties also apply if coercion is used or in cases involving the trafficking of persons outside or into the country. The law also provides for penalties against the use of children in pornography and in the trafficking of drugs. In December 2007, the President of Djibouti signed a new comprehensive anti-trafficking law. Law 210 "Regarding the Fight Against Human Trafficking" covers both internal and transnational trafficking and prohibits all forms of trafficking in persons. It protects victims regardless of ethnicity, gender, or nationality, and prescribes penalties of up to 30 years' imprisonment for traffickers.

5.(U) INSTITUTIONS AND MECHANISMS FOR ENFORCEMENT -- HAZARDOUS CHILD LABOR AND FORCED CHILD LABOR (2C, SECTION I and II):

--The authority to enforce child labor laws and regulations rests with the Labor Inspectorate (under the Ministry of Labor), as well as with the Police Vice Squad (Brigade des Moeurs) and other law enforcement officials (local police and gendarmerie). The Labor Inspectorate has the authority to sanction businesses that employ children. In 2009, the Labor Inspectorate had one inspector and six controllers; the total staff including support personnel was nine. While some inspectors had received specialized training, additional training and continuing professional development was an ongoing need. Child labor inspections are normally conducted during the course of regular preventative inspections, or if a problem is reported. However, in practice the Labor Inspectorate did not have sufficient resources--including vehicles--to conduct regular preventive inspections, or to follow up on the enforcement of previous cases.

No child labor inspections occurred in 2009, nor were any complaints regarding child labor brought to the attention of the Labor Inspectorate.

16. (SBU) INSTITUTIONAL MECHANISMS FOR EFFECTIVE ENFORCEMENT - CHILD TRAFFICKING, COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN, AND USE OF CHILDREN IN ILLICIT ACTIVITIES (2D, SECTION I, II AND III):

--The Police Vice Squad has reportedly warned bar and club owners not to permit minors on the premises. In a June 2009 report, the police noted that 51 minors were apprehended on suspicion of prostitution during 2008. In addition to combating child prostitution, the Police Vice Squad is responsible for many other areas of law enforcement (i.e., control of the sale of alcoholic beverages) and may not have sufficient trained personnel or resources to effectively identify all children who are victims of trafficking or commercial sexual exploitation. While police generally provided basic services such as medical care to such victims, very few protective or rehabilitative services are available in Djibouti, and almost no non-governmental organizations are active in this area.

--The government made efforts to combat child sexual abuse; for example by issuing international arrest warrants for five French nationals on allegations of child sexual abuse in 2008.

--There was no hotline for reporting trafficking or other forms of child exploitation in Djibouti. However, the National Union of Djiboutian Women, under the patronage of the First Lady, ran a drop-in counseling center which helped women, children, and men with a wide variety of issues, including domestic violence, rape, and other problems.

17. (U) GOVERNMENT POLICIES ON CHILD LABOR, SOCIAL PROGRAMS TO

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ELIMINATE OR PREVENT CHILD LABOR, AND CONTINUAL PROGRESS (2E, 2F, AND 2G):

--Increasing school attendance--including moving children from the workplace to the school desk--has remained a top priority for the GODJ. The GODJ currently devotes a quarter of its national budget to education, with a particular focus on primary education, and has asked international donors to channel assistance to the education sector. Gross enrollment rates increased from 49 percent in 2003 to 67 percent in 2009. Girls' enrollment rates have especially increased: whereas in 2003 there were only 75 girls enrolled in school for every 100 boys, in 2009 46 percent of schoolchildren were female.

--To better address trafficking in persons, child trafficking, and other migration-related issues, the GODJ invited the International Organization for Migration (IOM) to set up a new office in Djibouti in 2009. The GODJ continues to work with IOM on billboard, television, and radio campaigns to warn migrants of the dangers of irregular migration, including the risk of becoming a victim of trafficking.

--The GODJ continues to work with UNICEF on programming that assists orphans and vulnerable children (OVCs), who may be especially at risk to become victims of child labor, exploitation, or child trafficking. A pilot program running through 2009 provided 700 OVCs with education and professional training, nutritional support, and other assistance.

18. (SBU) COMMENT. Djibouti's legal framework adequately prohibits and punishes exploitative child labor. However, identification and rehabilitation of victims remains a challenge. Absent significant manufacturing or agricultural sectors in-country, there is no/no evidence that exploitative child labor is used in the production of goods. However, the Labor Inspectorate's almost total lack of resources to conduct most kinds of workplace inspections made it unlikely that authorities would find, correct, or punish other--perhaps less flagrant--violations of child labor laws, for example minors working prohibited hours for small, informal businesses. In the sectors where the worst forms of child labor likely exist in Djibouti--child prostitution, begging, and perhaps

domestic service---very little quantitative or qualitative data exists on the scope of the problem. The GODJ made good faith efforts to fight child prostitution and other forms of child exploitation. However, competing priorities--such as high child malnutrition rates, ongoing food insecurity, and sixty percent unemployment--meant that resource constraints remained a problem. While the GODJ was open to collaboration with non-governmental organizations, very few groups focused on the issues of child welfare affecting the most vulnerable populations, such as unaccompanied foreign minors who became street children. END COMMENT.

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